

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. 2:15-MD-02641 -DGC

This Document Relates to:

Bonita Jean Wilde
Civil Action No.: 2:17-cv-01525-DGC

**UNOPPOSED MOTION TO SUBSTITUTE PARTY PLAINTIFF AND FOR
LEAVE TO AMEND SHORT FORM COMPLAINT**

Counsel, pursuant to Rule 25 (a)(1) of the Federal Rules of Civil Procedure, moves this Court for an Order substituting Blase Brennan on behalf of his mother, Bonita Jean Wilde.

1. Bonita Wilde filed a products liability lawsuit against Defendants on May 18, 2017, in the District of Arizona – MDL No. 2:15-MD-02641.

2. On December 18, 2017, Plaintiff filed and served a Suggestion of Death [Doc 9403].

3. Blase Brennan, surviving son of Bonita Jean Wilde, is the proper party to substitute for Plaintiff-decedent Bonita Jean Wilde and has proper capacity forward with the surviving products liability lawsuit on his behalf, pursuant to Fed. R. Civ. P. 25(a)(1). “If a party dies and the claim is not extinguished, the Court may order substitution of the proper party. A motion for substitution may be made by any party or by the decedent’s successor or representative.”

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1 4. Blase Brennan further seeks leave to file the attached amended short form
2 complaint to substitute himself as Plaintiff on behalf of Plaintiff-decedent Bonita Jean Wilde
3 and to add survival action claims (see Amended Short Form Complaint, attached hereto as
4 Exhibit 1).

5 5. Plaintiff's counsel has conferred with the Defendant's counsel and Defendants do
6 not oppose the filing of this motion.

7 6. Based on the foregoing, Blase Brennan requests that this Court grant his request
8 for substitution of Plaintiff in this action and for the leave to file the Amended Short Form
9 Complaint.

10 Date: January 11, 2018

Respectfully submitted,

11 **LOPEZ McHUGH LLP**

12 By /s/Matthew R. Lopez
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16 *Attorneys for Plaintiff*

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of January, 2018, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/Matthew R. Lopez